

P30868.A05

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Michael SCHINK et al.

Confirmation No. 4940

Group Art Unit: 1615

Serial No. :10/700,932

Examiner: Ghali, Isis A D

Filed : November 3, 2003

For : ACTIVE INGREDIENT-CONTAINING MATRIX PATCHES

ELECTION

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop Amendment
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

This is in response to the election of species requirement mailed from the U.S. Patent and Trademark Office on February 1, 2008. Inasmuch as the one-month shortened statutory period for reply is set in the Office Action to expire on March 3, 2008 (March 1, 2008 being a Saturday), this response is being filed by the initial due date for response. However, if any extension of time is necessary, this is an express request for any necessary extension of time and authorization to charge any required extension of time fee or any other fees which may be required to preserve the pendency of the present application to Deposit Account No. 19-0089.

ELECTION OF SPECIES REQUIREMENT

The Examiner requests an election of one of the following species of active ingredients:

- a) dexpanthenol
- b) essential oils
- c) ibuprofen
- d) salicyclic acid
- e) lidocaine
- f) nonivamide
- g) menthol
- h) capsaicin
- i) benzyl nicotinate or propyl nicotinate.

The Examiner also requests an election of one of the following species of a process for applying active ingredients:

- a) printing process
- b) contactless spraying process.

ELECTION

In order to be responsive to the above election of species requirements, Applicants elect a) **dexpanthenol** as species of the active ingredient and a) a **printing process** as species of a process for applying active ingredients.

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Currently at least claims 27-32, 34, 36-39, 56, 57, 59 and 67-72 read on the elected species.

Should there be any questions, the Examiner is respectfully invited to contact the undersigned at the telephone number below.

Respectfully submitted,
Michael SCHINK et al.

A handwritten signature in black ink, appearing to read "Neil F. Greenblum", written over a horizontal dashed line.

Neil F. Greenblum
Reg. No. 28,394

February 28, 2008
GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191

Stephen M. Roylance
Reg. No. 31,296